

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
August 18, 2003

**D039953          Cacho et al. v. Johnson**

**D041060**

(Consolidated) The judgment is affirmed. Johnson is entitled to costs on appeal. McIntyre, J.;  
We Concur: Haller, Acting P.J., McDonald, J.

**D042557          Douglas B. v. Superior Court of San Diego County/San Diego County Health and  
Human Services Agency**

The attorney for petitioner Douglas B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. Petitioner also requests an extension of time so that petitioner may file a petition himself. The request for an extension of time is denied. The case is dismissed.

**D038763          Deutsch v. Vectron, Inc.**

It is ordered that the opinion filed July 21, 2003, is modified. There is no change in judgment. The petition for rehearing is denied.

**D042711          Austin v. Superior Court of San Diego County/County of San Diego et al.**

The petition is denied.

**D042363          Amelotti etc. v. Superior Court of San Diego County/Sunbridge Care and  
Rehabilitaton Center for El Cajon et al.**

The petition is denied.

**D039119          People v. Dailey**

The petition for rehearing is denied.

**D042329          Sony Corporation v. Worker's Compensation Appeals Board/Larios**

The petition is denied.

**D039979          Chavez et al. v Mendoza et al.**

The petition for rehearing is denied.

**D042359          In re Simpson on Habeas Corpus**

The petition is denied.

**D042300          In re Saunders on Habeas Corpus**

The petition is denied.

**D042360          In re Ross on Habeas Corpus**

The petition is denied.

**D042689          Communications Workers of America, AFL-CIO v. Superior Court of San Diego  
County/Rousey et al.**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
August 18, 2003 (Continued)

**D042316        In re McDonald on Habeas Corpus**

Petitioner's request for counsel is denied. The petition is denied.

**D041698        In re Julian A. et al., Juveniles**

The portions of the February 3, 2003 disposition orders finding that reasonable services had been provided or offered to David and that it would be detrimental to place the children with him are reversed and those findings are vacated. The orders placing the children in the approved home of a relative are reversed. The matter is remanded to a different judicial officer of the same court with directions to order the children placed with David under section 361.2, subdivision (a), unless the court finds that changed circumstances would support a supplemental petition removing the children from David's custody under section 387. The February 3, 2003 disposition orders are otherwise affirmed. Aaron, J.;  
We Concur: Haller, Acting P.J., McConnell, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
August 19, 2003

**D040215        People v. Scott**

The judgment is affirmed. Haller, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

**D040491        People v. Ruiz**

Judgment affirmed. McConnell, J.; We Concur: Benke, Acting P.J., McIntyre, J.

**D041820        People v. Strong**

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

**D042565        Phillips, as Trustee, etc. v. Hill**

The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
August 20, 2003

**D040045        People v. Austin**

The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., McDonald, J.

**D042136        Janice C. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The petitions are denied. Haller, Acting P.J.; We Concur: McIntyre, J., McDonald, J.

**D042317        Mindy J. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The petition is denied. McConnell, J.; We Concur: Haller, Acting P.J., McIntyre, J.

**D041810        In re Charles C., a Juvenile**

The order is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McConnell, J.

**D042299        In re Abney on Habeas Corpus**

The petition is denied.

**D042391        In re Billups on Habeas Corpus**

The petition is denied.

**D042361        In re Gonzales on Habeas Corpus**

The petition is denied.

**D042381        Curtis v. Superior Court of San Diego County/Curtis**

The petition is denied.

**D042331        LeMarie et al. v. Superior Court of San Diego County/Temecula Valley Emergency Medical Associates et al.**

The petition is denied.

**D042214        Martin v. Brandelius**

Pursuant to California Rules of Court, rule 8, the appeal filed May 15, 2003, is dismissed for failure of appellant to timely deposit costs for preparing the record on appeal. (Cal. Rules of Court, rule 4(b) and 5(c)).

**D042718        In re Jason N., a Juvenile**

The appeal, filed August 13, 2003, is dismissed as untimely.

**D042439        Elisa K. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Elisa K. has notified the court on behalf of the petitioner that a petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
August 20, 2003 (Continued)

**D042516        Siegler et al. v. Ralston-Charnley**

The appellant having failed to timely pay the filing fee, the appeal as to Alan Geraci is dismissed. (Cal. Rules of Court, rule 1(c)(5).)

**D042423        Hippert v. Superior Court of San Diego County/Porterfield**

The petition is denied.

**D042442        In re Powell on Habeas Corpus**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
August 21, 2003

No entries this date.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
August 22, 2003

**D040080        People v. Moss**

The sentence is reversed. In all other respects, the judgment is affirmed. The matter is remanded for resentencing in accordance with the views expressed in this opinion. Huffman, Acting P.J.;  
We Concur: Haller, J., McIntyre, J.

**D041381        In re A.B., a Juvenile**

The appeal is dismissed. Haller, Acting P.J.; We Concur: McIntyre, J.; McConnell, J.

**D041732        In re Roscoe R., a Juvenile**

The judgments are affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McIntyre, J.

**D042731        People v. Dunkley**

In that no appealable order or judgment has yet been entered, the notice of appeal is premature. The appeal is dismissed.

**D042397        In re Ayala on Habeas Corpus**

The petition is denied.

**D042467        In re Lozano on Habeas Corpus**

The petition is denied.

**D042488        In re Lozano on Habeas Corpus**

The petition is denied as duplicative.

**D042446        Banc of America Investment Services et al. v. Superior Court of Imperial  
County/Gutierrez et al.**

The petition is denied.

**D041187        People v. Alvarado**

The judgment is affirmed. Benke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

**D040628        People v. Shubert**

The petition for rehearing is denied.

**D042739        Flourney v. Superior Court of San Diego County/People**

The petition is denied.

**D042737        Musselman/ Superior Court of San Diego County/People**

The petition is denied.

**D042757        In re Serpa on Habeas Corpus**

The petition is denied.